

RECEIVED  
CENTRAL FAX CENTER

AUG 13 2004

OFFICIAL

## TELEFAX COVER SHEET

## MOSER, PATTERSON &amp; SHERIDAN, LLP

ATTORNEYS AT LAW  
595 SHREWSBURY AVENUE  
SUITE 100  
SHREWSBURY, NJ 07702  
TELEPHONE (732) 530-9404  
TELEFAX (732) 530-9808

\*\*\*\*\*  
THIS TELEFAX MESSAGE IS ADDRESSED TO THE PERSON OR COMPANY  
LISTED BELOW. IF IT WAS SENT OR RECEIVED INCORRECTLY, OR YOU ARE  
NOT THE INTENDED RECIPIENT, PLEASE TAKE NOTICE THAT THIS MESSAGE  
MAY CONTAIN PRIVILEGED OR CONFIDENTIAL MATERIAL, AND YOUR DUE  
REGARD FOR THIS INFORMATION IS NECESSARY. YOU MAY ARRANGE TO  
RETURN THIS MATERIAL BY CALLING THE FIRM LISTED ABOVE AT (732) 530-9404  
\*\*\*\*\*

THIS MESSAGE HAS 16 PAGES INCLUDING THIS SHEET

TO: Commissioner for PatentsFAX NO.: 703-872-9306FROM: Keith Taboada, Esq.DATE: August 13, 2004MATTER: Serial No. 10/692,901 Filed: October 24, 2003DOCKET NO.: 4118C01/ETCH/ECTAPPLICANT: Kholodenko, et al.

The following has been received in the U.S. Patent and Trademark Office on the date of this facsimile:

☐ Petition  
☐ Disclosure Statement & PTO-1449  
☐ Priority Document  
☒ Declaration in Support of Non-Obviousness  
(3 pages)  
☒ Response to Office Action (10 pages)

☐ Transmittal Letter (2 copies)  
☒ Fee Transmittal (2 copies)  
☒ Deposit Account Transaction  
☒ Facsimile Transmission Certificate  
dated August 13, 2004

## CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being transmitted by facsimile to Mail Stop  
Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 13, 2004.  
Facsimile No. (703) 872-9306.

Kathleen Faughnan  
Name of person signing this certificate

Kathleen Faughnan 8/13/04  
Signature and date

294422

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant Claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 110

Complete if Known

Application Number 10/692,901  
Filing Date October 24, 2003  
First Named Inventor Kholodenko, et al.  
Examiner Name Sang Yeop Paik  
Group / Art Unit 3742  
Attorney Docket No. 4118C01/ETCH/ECT

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account

Deposit Account Number 20-0782

Deposit Account Name Moser, Patterson & Sheridan, LLP

The Director is authorized to: (Check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) or any underpayment of fee(s)  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Fee Code | Entity (\$) | Small Fee Code | Entity (\$) | Fee Description        | Fee Paid |
|----------------|-------------|----------------|-------------|------------------------|----------|
| 1001           | 770         | 2001           | 385         | Utility filing fee     |          |
| 1002           | 340         | 2002           | 170         | Design filing fee      |          |
| 1003           | 530         | 2003           | 265         | Plant filing fee       |          |
| 1004           | 770         | 2004           | 385         | Reissue filing fee     |          |
| 1005           | 160         | 2005           | 80          | Provisional filing fee |          |

SUBTOTAL (1)

(\$ 0)

### 2. EXTRA CLAIM FEES

Total Claims  - \*\* =  0 X  0 =  0  
Independent Claims  - \*\* =  0 X  0 =  0  
Multiple Dependent  0 X  0 =  0

| Large Fee Code | Entity (\$) | Small Fee Code | Entity (\$) | Fee Description  | Fee Paid |
|----------------|-------------|----------------|-------------|--|----------|
| 1202           | 18          | 2202           | 9           | Claims in excess of 20                                     |          |
| 1201           | 66          | 2201           | 43          | Independent claims in excess of 3                          |          |
| 1203           | 290         | 2203           | 145         | Multiple dependent claim, if not paid                      |          |
| 1204           | 66          | 2204           | 43          | ** Reissue independent claims over original patent         |          |
| 1205           | 18          | 2205           | 9           | ** Reissue claims in excess of 20 and over original patent |          |

SUBTOTAL (2)

(\$ 0)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large Entity |          | Small Entity |          | Fee Description  | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 1051         | 130      | 2051         | 65       | Surcharge - late filing fee or oath  |          |
| 1052         | 50       | 2052         | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053         | 130      | 1053         | 130      | Non-English specification  |          |
| 1812         | 2,520    | 1812         | 2,520    | For filing a request for reexamination                                     |          |
| 1804         | 920*     | 1804         | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805         | 1,840*   | 1805         | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 1251         | 110      | 2251         | 55       | Extension for reply within first month                                     | 110      |
| 1252         | 420      | 2252         | 210      | Extension for reply within second month                                    |          |
| 1253         | 950      | 2253         | 475      | Extension for reply within third month                                     |          |
| 1254         | 1,480    | 2254         | 740      | Extension for reply within fourth month                                    |          |
| 1255         | 2,010    | 2255         | 1,005    | Extension for reply within fifth month                                     |          |
| 1401         | 330      | 2401         | 165      | Notice of Appeal   |          |
| 1402         | 330      | 2402         | 165      | Filing a brief in support of an appeal                                     |          |
| 1403         | 290      | 2403         | 145      | Request for oral hearing   |          |
| 1451         | 1,510    | 2451         | 1,510    | Petition to institute a public use proceeding                              |          |
| 1452         | 110      | 2452         | 55       | Petition to revive - unavoidable   |          |
| 1453         | 1,330    | 2453         | 665      | Petition to revive - unintentional   |          |
| 1501         | 1,330    | 2501         | 665      | Utility issue fee (or reissue)   |          |
| 1502         | 480      | 2502         | 240      | Design issue fee   |          |
| 1503         | 640      | 2503         | 320      | Plant issue fee  |          |
| 1450         | 130      | 1450         | 130      | Petitions to the Commissioner  |          |
| 1807         | 50       | 1807         | 50       | Processing fee under 37 CFR 1.17 (a)                                       |          |
| 1808         | 180      | 1808         | 180      | Submission of Information Disclosure Stmt                                  |          |
| 8021         | 40       | 8021         | 40       | Recording each patent assignment per property (times number of properties) |          |
| 1809         | 770      | 2809         | 385      | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 1810         | 770      | 2810         | 385      | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 1801         | 770      | 2801         | 385      | Request for Continued Examination (RCE)                                    |          |
| 1802         | 900      | 1802         | 900      | Request for expedited examination of a design application                  |          |

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 110)

## SUBMITTED BY

| Name (Print/Type)   | Registration No. Attorney/Agent | Telephone            |
|---------------------|---------------------------------|----------------------|
| Keith Taboada, Esq. | 45,150                          | (732) 530-9404       |
| Signature           |                                 | Date August 13, 2004 |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22313-1460.

294421